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|-------------------|-----------------------------------------|---------------|---------------|
| Site Address:     | 52 Creek Road, Hayling Island, PO11 9RE |               |               |
| Proposal:         | Revised siting of condensers.           |               |               |
| Application Type: | Full Planning Permission                |               |               |
| Application No:   | APP/23/00910                            | Expiry Date:  | 11/01/2024    |
| Applicant:        | Ms Swan                                 |               |               |
| Agent:            | Mr Oliver                               | Case Officer: | Denise Sheath |
|                   | Town Planning Expert                    |               |               |
| Ward:             | Hayling East                            |               |               |

Recommendation: **GRANT PERMISSION**

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## **1 Site Description**

- 1.1 The application site lies to the south east of Hayling Island and to the east of Creek Road. Creek Road itself has a mixed character with commercial and residential properties. With the exception of the application site the northern part of Creek Road (beyond Sandy Point Road junction) is mainly residential in character with terraced, semi-detached and detached houses, chalet bungalows and bungalows. Further south are commercial and residential uses. 50-56 Creek Road is a Premier Express shop 'Sandypoint Convenience Store'. To the frontage with Creek Road is a dropped kerb leading to a parking area. There is a vehicular access to the north of the building and a further vehicular access to the south of the building (through a car parking area). These accesses lead to hardstanding areas to the rear of the retail unit.
- 1.2 To the south of the site is an area of car parking used by the residents of 1-4 Kittiwake Row, with these properties themselves sited beyond the car park to the south. To the east of the site is Guillemot Place with No. 6 set closest to the application site.
- 1.3 To the north of the site is 58 Creek Road a bungalow and to the west on the far side of Creek Road are two storey terraced and semi-detached houses.

## **2 Planning History**

APP/15/01216 - Erection of flat roof brick store to rear of 50-52 Creek Road. Removal of existing container on completion of the works and formation of 2No. parking bays to rear of shop. PERM - 28/01/2016

APP/19/00279 - Addition of first floor to create 2No. two bed flats.(14.01.20). Request to discharge condition 5 (11.03.22).

[Note: Grampian Condition applies, contact LPA for details]. Request to discharge conditions 3, 4 & 6 (30.05.2022) - Perm 14 January 2020

APP/21/00551 - Provision of 2No. cold stores to rear. - Permit 22 September 2021

APP/22/01179 - Application for Non-material change to Planning Permission  
APP/19/00279 relating to revision to parking at rear.

## **3 Proposal**

Revised siting of condensers.

#### **4 Policy Considerations**

National Planning Policy Framework  
Havant Borough Council Borough Design Guide SPD December 2011  
Havant Borough Council Parking SPD July 2016

Havant Borough Local Plan (Core Strategy) March 2011

CS16 (High Quality Design)  
DM10 (Pollution)

Havant Borough Local Plan (Allocations) July 2014

AL1 (Presumption in Favour of Sustainable Development)

Listed Building Grade: Not applicable.

Conservation Area: Not applicable.

#### **5 Statutory and Non Statutory Consultations**

##### **Environmental Health Manager, Community Group**

Thank you for consulting the Council's Environmental Protection Team on this application. The proposed acoustic enclosures should ensure that noise from the condensers does not give rise to impact on amenity at nearby residential dwellings. However, we recommend the following condition is attached,

- The noise from the condensers which are subject to this application shall be covered with acoustic enclosures which mitigate the noise in accordance with the information supplied in the acoustic report submitted by Sound Advice dated 11.09.2023 (Ref. SAE-1157 Issue 1)., specifically the data provided under the heading 'Acoustic Enclosure Performance'.

##### **Comments regarding the impact upon flats Approved under APP/19/00279**

All we simply have to say is that the once the condensers are enclosed there should be no impact on amenity to nearby residential receptors.

#### **6 Community Involvement**

This application was publicised in accordance with the Council's Code of Practice for Publicity of Planning Applications approved at minute 207/6/92 (as amended), as a result of which the following publicity was undertaken:

Number of neighbour notification letters sent: 18

Number of site notices: 1\_

Statutory advertisement: Not applicable.

Number of representations received: 1

## Objection Summary:

Concerned even with the re-siting of the units that there will still not be room for the 2No. parking spaces - **Officer Comment:** *the parking area is not a consideration of this current application and there is a separate application for amended parking to the rear of the proposed flat units. It is noted that tracking has been provided to demonstrate that the parking can be manoeuvred into.*

There is no room for 2 vehicles to be able to manoeuvre in the small space. Either driving in or out. - **Officer Comment:** *The Parking plan provided was assessed by the Civil Engineering and Landscape Team and it has been confirmed the manoeuvring is achievable at a speed of 5mph or less following the re-siting of the condenser units.*

Cages from the shop are stored up to the boundary fences - **Officer Comment:** *This is not a consideration of this condenser planning application.*

Acoustic covers should be installed to the units - **Officer Comment:** *See Section 7*

No further planning applications to the site should be accepted - **Officer Comment:** *We are unable to prevent planning applications being submitted. Any planning application submitted will be assessed on its own merit.*

## 7 Planning Considerations

7.1 Having regard to the relevant policies of the development plan it is considered that the main issues arising from this application are:

- (i) Principle of development
- (ii) Impact upon the character and appearance of the area
- (iii) Impact upon residential amenity

### (i) Principle of development

The application site is situated within an urban area where further development is considered acceptable subject to the usual development control criteria.

### (ii) Impact upon the character and appearance of the area

Located to the rear of the shop is a detached storage room, primarily used for dry goods. The refrigeration condensers are currently fixed adjacent to the south side elevation of the storage room.

The proposal seeks to re-site the 2No. condenser units to the front north-west corner of the storage room. The proposed relocation of the condenser units would be regarded as a minimal change to the existing character of the rear of the building and would have no visibility from Creek Road.

The storage cages which are located to the rear of the shop can be condensed down and then they slotted into each other reducing the amount of space they require. There is adequate space by the fridge stores to put them to ensure that the maneuvering into and out of the parking spaces can be achieved.

(iii) Impact upon residential amenity

Any noise from the condensers will be minimal as they would be acoustically enclosed and screened from adjacent properties by the existing building and stores.

Environmental Health were consulted as part of the application process and have raised no objection providing should planning permission be granted a condition is placed upon the approval to ensure that the condenser units are covered with acoustic enclosures. The proposed acoustic enclosures would ensure that noise from the condensers does not give rise to impact on amenity at nearby residential dwellings therefore complying with DM10 and CS16 of the Havant Borough Local Plan. It is recommended that a condition is placed upon any permission ensuring within three months of the date of any planning permission the existing condenser units are removed from the southern side of the storage room and the proposed condenser units are fitted to the western side of the storage room and fitted with acoustic enclosures.

## 8 **Conclusion**

The scale, siting and design of the proposal would have no undue impact on the character of the wider area or on neighbouring amenity and therefore would be considered to be appropriate and is recommended for approval.

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## 9 **RECOMMENDATION:**

That the Head of Place be authorised to **GRANT PERMISSION** for application APP/23/00910 subject to the following conditions

- 1 The development hereby permitted shall be carried out in accordance with the following approved plans:

Application Form - Received 23 November 2023

Planning Statement - Town Planning Expert - Received 23 November 2023

Noise Control Proposal Sound Advice Acoustics Ltd File Ref: SAE-1157 Issue 1 dated 11.09.2023

Location Plan - Drawing Ref. 5056CRERDCR 06 Rev F- Received 23 November 2023

Block Plan - Drawing Ref. 5056CRERDCR 04 Rev F- Received 23 November 2023

Parking and Maneuvering Plan - Drawing Ref. 5056CRERDCR 03 Rev G - Received 06 March 2024

Site Plan - Drawing Ref. 5056CRERDCR 05 Rev F - Received 23 November 2023

External Coldroom Existing and Proposed Elevations - Drawing Ref. 5056CRERDCR 13 Rev F - Received 23 November 2023

External Coldroom Existing and Proposed Floor and Roof Plan - Drawing Ref. 5056CRERDCR 13 Rev F- Received 23 November 2023

**Reason:** To ensure provision of a satisfactory development.

- 2 The external materials used shall be as indicated on the submitted forms and hereby approved plans.

**Reason:** In the interests of the amenities of the area and having due regard to policy CS16 of the Havant Borough Local Plan (Core Strategy) 2011 and the National Planning Policy Framework.

- 3 Within three months of the planning permission hereby granted the existing condenser units shall be removed from the southern side of the storage room and the proposed condenser units shall be fitted to the western side of the storage room and fitted with acoustic enclosures. The condensers which are subject to this application shall be covered with acoustic enclosures which mitigate the noise in accordance with the information supplied in the Noise Control Proposal (Acoustic report) Sound Advice Acoustics Ltd File Ref: SAE-1157 Issue 1 dated 11.09.2023, specifically the data provided under the heading 'Acoustic Enclosure Performance'.

**Reason:** To ensure that noise from the condensers does not give rise to impact on amenity at nearby residential dwellings and having due regard to policies DM10 and CS16 of the Havant Borough Local Plan (Core Strategy) 2011 and the National Planning Policy Framework.